

*Notice of Requirement to Dunedin City Council
Under Section 168A of the Resource Management Act 1991*

Notice of Requirement for a Designation in the Dunedin City District Plan

**Harbourside Arterial Link,
Willis Street to
Ravensbourne Road / SH88**

Dunedin City Council

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Dunedin City Council**

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Notice of Requirement for a Designation

Pursuant to Section 168A of the Resource Management Act 1991

TO: Dunedin City Council
PO Box 5045
Dunedin

FROM: Chief Executive
Dunedin City Council

(Please note different address for service given below)

The Dunedin City Council (“the Council”) gives notice of a requirement for a designation over the additional land required to allow for the construction of an arterial road corridor from Ravensbourne Road at the Parry Street intersection (adjoining land owned by USC Investments Limited and East Parry Investments Limited), to the intersection of Thomas Burns and Willis Street, Dunedin, (the proposed works).

1. The site to which the requirement applies is as follows:

The plans attached in Appendices 1 and 2 show that the proposed arterial corridor will extend approximately 3.5 kilometres (km) from its most southern to northern extents. The arterial corridor consists of part of the existing road corridor from the Willis Street – Thomas Burns Street intersection to the Frederick Street - Thomas Burns Street intersection; some Crown and private land comprising part of the designated railway corridor between St Andrew Street and the Water of Leith, and a mixture of private and Council owned land between the Water of the Leith and Ravensbourne Road. A table identifying directly affected land is included in Appendix 2. Please refer to the Site Location Plan in Appendix 1 and the Designation Plan in Appendix 2.

Note: Included within Appendix 2 are a number of separate designation plans as the Council’s policy is to designate only those parcels of land which are not currently legal road and are required to be purchased to construct the arterial.

2. The nature of the proposed work is:

The Designation is for “Harbourside Arterial Link” which will facilitate the upgrade and expansion of existing roads and the creation of new roads from State Highway 88 (SH88) to the intersection of Willis Street – Thomas Burns Street, Dunedin. The required designation will accommodate the potential for a four lane arterial road, although initially four lanes will only be constructed between Willis and Frederick Streets. From Frederick Street to SH88, only two lanes will be constructed. Please refer to the attached Assessment of Environmental Effects (AEE) for detailed description of route and proposed works and to the plans attached concept plans in Appendix 1.

3. The nature of the proposed restrictions that would apply are:

Described in the attached Assessment of Environmental Effects (AEE) in Section 9 of this report.

Note: This notice of requirement specifies a lapse period of 20 years for the proposed designation under Section 184 (1)(c) of the Resource Management Act 1991 (the Act).

4. The effect that the proposed works will have on the environment and the ways in which any adverse effects will be mitigated are:

Assessed in the attached AEE.

Note: The attached AEE is in accordance with Section 168 (1) and the Fourth Schedule of the Act.

5. Alternative sites, route, and methods have been considered to the following extent:

Refer to Section 4 of the attached AEE.

6. The road realignment and designation are reasonably necessary for achieving the objectives of the Council for the following reasons:

The Act makes provision for requiring authorities to designate land in the District Plan to carry out their functions and provide for their future needs. The Council is a requiring authority pursuant to Section 166 of the Act.

The proposed public work and the designation are reasonably necessary for achieving the objectives of the Council in this instance to manage the roading network within Dunedin.

The Council has lodged the Notice of Requirement to achieve the following objectives:

- To reduce current congestion on the existing arterial network through Dunedin City allowing an improvement in the safety and efficiency of the existing network;
- Remove heavy traffic from the inner city and give it a separate route;
- To improve access between the city centre and the east, southeast, and southern suburbs, including the Peninsula, Waverly and South Dunedin;
- Improve access from the Southern Motorway to the upper and lower port areas;
- To assist with construction of part of the “around the harbour walkways and cycle ways” connections with the central city;
- To allow land required for the Dunedin Harbourside arterial to be identified in the Dunedin City District Plan which will give a clear indication to the public of the requirement for this land to be used to construct this road network.

7. The following resource consents are needed for the proposed activity and have been applied for:

Resource consent from the Otago Regional Council (ORC) will be required for the construction of the proposed new bridge across the Water of Leith. However detailed design of the bridge is not complete. ORC consents for the construction of the bridge will be sought once designation is complete and at the outline plan stage. Please refer to Section 9 of the AEE for further detail.

Note: Once the designation is in place, detailed design will be undertaken and this will be lodged with the Dunedin City Council as part of an Outline Plan under Section 176A of the Act prior to construction.

8. The following consultation has been undertaken with parties that are likely to be affected:

The parties identified in Section 6 and Appendices 3 and 4 of the AEE have been identified as either directly affected by the proposed designation and are owners or are occupiers of land that is required for the road corridor. Others contacted include those that may be affected by the construction process and/or are other stakeholders who have an interest in the development of the road in this area.

The consultation process undertaken is outlined in Section 7 of the attached AEE.

Philip James Harland, the Chief Executive of the Council attaches the following information required to be included in this notice by the Dunedin City District Plan, or any regulations made under the Resource Management Act 1991.

(List of documents attached).

- Assessment of Environmental Effects
- Appendix 1 – Location, Concept Plans and Photographs
- Appendix 2 –Certificates of Title and Designation Plans
- Appendix 3 – List of Affected Property Owners
- Appendix 4 – List of Parties Consulted, Key Issues Raised, Responses, and Specimen Consultation Letter & Form
- Appendix 5 – Traffic Modelling Results and Analysis
- Appendix 6 – Heritage Assessment
- Appendix 7 – Landscape Concept Plan
- Appendix 8 – Plan of Frederick Street Intersection and Gyratory Option
- Appendix 9 – ONTRACK Email
- Appendix 10 – Stadium Hazardous Site Study

Philip James Harland
Chief Executive

Date

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1. Introduction

1. The Council is seeking to designate those parcels of land along the proposed arterial route which are not currently legal road and are required to become road for the arterial route. The Council is seeking to designate the route for “Harbourside Arterial Link” purposes.
2. The route consists of part of the existing road corridor from the Willis Street – Thomas Burns Street intersection to Frederick Street then along designated railway corridor and private land between St Andrew Street and the Water of Leith then into a mixture of private and Council owned land between the Water of Leith and Ravensbourne Road. The land in this area is in multiple ownership including the Crown, the Council and private businesses and individuals.
3. The Council seeks to designate the land required for the proposed Harbourside arterial by a notice of requirement under Section 168A of the Act. The tests for Section 168A are:
 - Any relevant provisions in the Council plans;
 - Whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work;
 - Whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought; and
 - Any other matter the territorial authority considers reasonably necessary in order to make a decision on the requirement.
4. The Council intends to undertake detailed design once the designation is in place. The detailed design will be lodged as part of an outline plan under Section 176A prior to construction.
5. ORC resource consents will also be required to construct a bridge across the Water of Leith within the designated corridor. These will be applied for once the final design of the corridor and bridge is completed. The applications for regional council consent will be lodged at the same time as the outline plan.

Planning Context

6. By way of background and to give a planning context to the area within which the new arterial will be located, the following developments/proposals for the area south and east of the proposed arterial route are described:
 - The proposed Dunedin City Council Harbourside Plan Change is located in existing industrial zoned land at the southern end of the proposed arterial between the route and the harbour. The Plan Change has a vision for this area which is:

“To reconnect the heart of the city to the harbour and to rejuvenate the harbourside with a mix of land uses, public spaces and amenity areas”.
 - The new Chinese Garden located and currently under construction to the west of the rail corridor behind the Early Settlers Museum, at the eastern end of Rattray Street.

- The ORC notice of requirement for designation of a site for its new offices. The site is located at the southern end of the proposed arterial, between the arterial and the harbour.
 - North of the Water of Leith, the route is adjacent to and affected by the proposed Awatea Street Stadium. The site is currently being investigated and will be subject to a council adopted plan change (proposed Spectator Event and Education Zone) which may later be adopted as a Council plan change. This site directly affects the location of the proposed arterial which is the subject of this Notice of Requirement (NoR). If the stadium does not progress, the arterial road in this area will be located through the proposed Spectator Event and Education Zone. Refer to section 8 For further information on proposed alternatives.
 - The Proposed Logan Park Development Plan is a concept that the Council included as part of the Long Term Council Community Plan (LTCCP) consultation process. Further formal consultation with key stakeholders is now ongoing on how Logan Park could be managed and developed to meet increasing future demands on the site. Logan Park is located adjacent to Anzac Avenue.
 - ‘Port Otago Next Generation’ – To prepare Port Chalmers for the next 30 to 50 years, Port Otago has initiated a dedicated project to explore the issues and options associated with securing visits by bigger ships. This research focuses on:
 - The need to deepen and widen the harbour channel to Port Chalmers;
 - The need to extend the wharves and berths at Port Chalmers; and
 - The logistical issues surrounding the management of larger container flows, both within the Terminal itself, and to and from the Port.
7. The proposed arterial will bring the main vehicle access to the port closer to the harbour and some Port Otago owned land as well as other port service providers. The arterial will also provide a more efficient route for traffic wanting access to the Port.
8. The proposed arterial concept has been designed to integrate where possible some or all of the relevant transport requirements from these proposed developments, as well as to meet the future roading needs for this part of Dunedin City.

2. Site Description

9. The land to be designated is broken into a number of small areas along the proposed route and these are shown in Appendix 2 as are their legal descriptions. Copies of the Certificates of Title are also included in Appendix 2.
10. The route is located on the east side of Dunedin City on mostly flat reclaimed industrial zoned land adjacent to the harbour. From Willis Street at the south end of the proposal to the Water of Leith, the route will be located in industrial zoned land adjacent to and between Thomas Burns Street and the designated main south rail corridor that also feeds rail traffic to Port Chalmers. The route will deviate from the rail corridor for the proposed Frederick Street intersection/roundabout onto privately owned industrial land, and then rejoin the rail corridor to the Water of Leith. North of the Water of Leith to

SH88, the route will continue through industrial zoned, privately owned land around the proposed Awatea stadium site to rejoin with SH88 north of Palmers Quarry.

11. At the southern end of the route the industrial zone adjacent to Thomas Burns Street gives the impression of being fully developed with a mixture of smaller and larger industrial premises taking up the whole area of their sites. However as the route moves north along the railway line the mix of industrial buildings tends towards larger buildings, some with rail sidings, yards and space around their buildings. The land along the route tends to be owned by a small number of individuals or businesses with a number of lease holders.
12. The underlying zoning of the proposed route is all within “Industrial 1” in the Dunedin City District Plan (the District Plan). However, in some places the route does come close to the boundary of the Industrial 1 and Port 2 boundary. The route will also in places overlie designation D419 the Main South Rail Line notation - “Rail Purposes”, Requiring Authority: New Zealand Railways Corporation.
13. In order for the Council to overlie its designation on the New Zealand Railways Corporation’s Designation, the Council has sought and gained the New Zealand Rail Corporations written approval under Section 177 (1)(a) of the Act.
14. There are no protected trees or features affected by the proposed route within the District Plan. The route will preserve the rail walkway over-bridge which is to be reconstructed, and has been specifically designed to fit beneath the bridge in between its abutments.

3. Reasons for the Designation

Need for the Work

15. The harbour arterial route is of major strategic importance to Dunedin City as it links Port Chalmers and North Dunedin with the Southern motorway. The proposed works are consistent with both the Council Transportation Strategy 2006 and Transit New Zealand’s National State Highway Strategy 2007.
16. The proposal is a result of a sequence of investigations on identifying deficiencies and how to improve the safety, efficiency and sustainability of city’s arterial network. As a result, the proposed works will increase the network safety and efficiency of the route as well as having a role in flow on improvements in safety and efficiencies on other strategic routes that flow off or feed onto the proposed arterial as discussed below.
17. The proposed Harbourside Arterial Link has also been identified in the Council’s Transportation Strategy 2006. This document noted that, following consultation, the preferred strategic approach to improve transportation in Dunedin was to optimise the existing network. This included completing key routes through the city. The harbour arterial through the city was identified as a key route in need of upgrading. It also noted that the harbour arterial to the east of the city could provide an efficient alternative route to North Dunedin. Access to SH88 from SH1 south of Dunedin, was also in need of upgrading. The strategic corridor improvements of linking SH1 to the harbour arterial at Rattray Street, relocating the arterial between Willis Street and St Andrew Street, and

extending the harbour arterial from St Andrew Street to Frederick Street were specifically identified in the Council's Transportation Strategy 2006.

18. Transit's National State Highway Strategy 2007 states that the Council is working on a proposal to develop a Harbour Arterial Route to provide a safer and more direct route for heavy vehicles through the city centre, between the south and Port Chalmers. Transit is working with the Council to explore opportunities for the harbour arterial route to become a realignment of SH1 and SH88.
19. The proposed work is also consistent with the Council's most significant objectives regarding roading which are the safety, efficiency and effectiveness of the city's roads. Refer to Objective 20.2.4 of the Transportation section of the District Plan for further detail.
20. The Council Transportation Strategy 2006 within which the arterials are promoted is also listed in the LTCCP 2006/2007 – 2015/16 as having a primary contribution to the listed Community Outcomes of "Wealthy City" and, "Accessible City", with a secondary contribution to community outcomes of "Sustainable City and Environment" as well as "Active City".

Need for the Designation

21. The use of land is controlled under Section 9 of the Act. Under Section 9(1), land may not be used in a manner that contravenes a rule in a District Plan, unless allowed by S10, or by resource consent.
22. Part VIII of the Act outlines provisions whereby requiring authorities may seek to include designations in District Plans, for projects and works for which the authority has financial responsibility. The effect of including a designation in a District Plan is to allow the requiring authority to do anything that is in accordance with the designation, notwithstanding anything to the contrary in the District Plan.
23. The Council is a requiring authority, as defined in Section 166 of the Act, and has financial responsibility for the Harbourside Arterial Link.
24. Designation of an arterial is a technique that is used by the Council when it is required to plan to construct roads on land it does not initially own. It is the most effective way of ensuring that the Council's interests in a site are protected. Designating sites:
 - (i) Provides greater certainty for the Council in terms of future management options and use of the site;
 - (ii) Allows maintenance and construction without the need to obtain any necessary resource consents; and
 - (iii) Protects the land from other land uses.
25. Greater certainty is important, since the Council traditionally makes a long-term commitment to any particular route/site selected for such uses.
26. Finally, and as noted above, the designation mechanism is used by the Council as part of a strategy for planning, establishing, maintaining and operating the roading network

where land required is not initially owned by the Council. The Designation process is considered to be the most appropriate in relation to the proposed activity.

4. Proposal Description

27. The plans attached in Appendices 1 and 2 show the proposed arterial corridor extends approximately 3.5 km from its most southern to northern extents. The corridor has been divided into segments as follows for ease of reference and description of environmental effects:

- Rattray Street — Fryatt Street Link
- Willis Street – St Andrew Street
- St Andrew Street – Frederick Street
- Frederick Street – Water of Leith
- Water of Leith to SH88.

Rattray Street - Fryatt Street link

28. Although not part of this notice, the overall vision for this section of the route is, at the intersection of Fryatt Street and Wharf Street to construct an at grade rail crossing extending Fryatt Street to Queens Gardens (SH1 Cumberland Street). However this crossing is dependent on a separate project to rationalise the existing rail shunting and lines in this area. Therefore it is proposed the crossing will now form a future separate application for an alteration to designation once this rationalisation has occurred.

Willis Street – St Andrew Street

29. The arterial route from Willis Street towards SH88 will comprise of four lanes and be located mostly to the west of Thomas Burns Street. To ensure continued pedestrian access and connectivity to the harbour area, the proposed new arterial will be located and constructed beneath the existing railway pedestrian bridge. The route will then cross the site of the existing skateboard park located between ONTRACK land and Thomas Burns Street. Various options will be considered for relocation of the skateboard park, one being to relocate the park further east onto land made available from the relocation of Thomas Burns Street.

30. The St Andrew Street - arterial intersection will be substantially altered as the harbour arterial route will take a completely new route along part of the railway corridor instead of along Anzac Avenue (the present route). The existing railway crossing will need to be increased and new approaches on both the eastern and western sides of the rail corridor will be widened.

St Andrew Street – Frederick Street

31. The arterial in this section will predominantly be within and follow the east side of the rail corridor. The existing Anzac Avenue over-bridge and ramps over the railway corridor will be removed and possibly reused in order to allow the new route to traverse the railway corridor. The new structure will be constructed to a similar level as the existing Ward Street Bridge. North of the existing over-bridge, the new route will require acquisition of private property in order for construction of a roundabout with an extension of Frederick Street.

Frederick Street – Water of Leith

32. The proposed works will continue along the north side of the railway corridor until it reaches the Water of Leith which will require bridging. Two alternative routes for the bridge have been considered and are described in Section 7 below.

Water of Leith - SH88

33. The proposed works will cross the Water of Leith via a bridge that is just north of the existing railway bridge over the river. The route continues in the railway corridor for a short distance, and then traverses private property for the entire corridor width until it joins SH88. This option has an access road to the proposed stadium building / grounds. A new access to the yacht harbour from Parry Street is also required as the present Magnet Street access will be incorporated into the stadium grounds / building.

Landscape Concept

34. A landscape concept has been completed for this proposal and is included with Appendix 7. The landscape concept includes plantings within berms adjoining open spaces, central median strips and roundabouts. Other landscaping will include relocation of established rhododendrons and design of boundary fences and walls to reinforce adjacent precincts.

Programme for Works

35. The LTCCP allows funding for the works to be constructed between 2009 and 2014. In the event the Proposed Spectator Event and Education Zone proceeds, the timing is likely to be brought forward to allow the Frederick Street – SH88 section to be completed before the stadium opens. As such, a longer designation term than the usual 5 years is requested under Section 184 (1) (c) of the Act. The term requested is 20 years.

Notice of Requirement

36. The key components are as follows:
- *Requirement for land for Harbour Link Purposes:*
 - *Works required to construct the proposed arterial route;*

The physical works required for this designation include the widening and realignment of the route north of Willis Street, construction of a new corridor, new road crossings of

the railway corridor, a new bridge across the Leith and a new entrance into the Boat Harbour.

- *Closure of Anzac Avenue to through traffic;*

The effect of the arterial attracting traffic away from Anzac Avenue onto the new route.

- *Landscaping:*

The proposal will provide landscaping along the proposed route in accordance with the Landscape concept.

5. The Notice of Requirement Process under the Act

37. Under Section 166 of the Act, the Council as a local authority is a Requiring Authority. Section 168A of the Act states that a local authority who has financial responsibility for a public work, may at any time give notice in the prescribed form to a territorial authority of its requirement for a designation.
38. Section 168A of the Act provides that the Requiring Authority must notify the requirement in accordance with Section 93(2) of the Act.

6. Consultation

Initial Consultation: Transportation Study 2006

39. Initial consultation of potentially affected landowners was undertaken by the Manager, Transportation Planning Department of the Council in February and March 2006 as part of the Transportation Strategy consultation process. This Consultation took the form of letters to potentially affected parties to advise them of the implications of the proposed strategy and, where requested, a follow up meeting or phone call was made.

Proposed Designation Consultation 2007- Ongoing

40. The proposed designation involves a substantial number of potentially affected land owners and land parcels, a number of which need to be purchased in part or in full. In addition to property acquisition, a number of businesses in the areas adjacent to the corridor are potentially affected by altered vehicle movements through various areas, most notably the diversion of traffic from Anzac Avenue and onto the proposed road corridor.
41. A complicating factor with respect to consultation is that a number of the properties, in the proposed Spectator Event and Education Zone in particular, are subject to long term leases. As a result both property owners and lease holders or tenants were potentially affected.
42. Property issues aside, community consultation for the designation has focused on presenting the proposed plan to stakeholders, and seeking comment back at a relatively early stage. The purpose of this method was to incorporate potential modifications before final design plans are drawn up. A list of consulted parties, their 'status' and

comments received back is attached as Appendix 4, as is an example of the comments form. It can be seen from Appendix 4 that the majority of those contacted did not respond. Whilst this does not mean that it can be taken that these parties have no concerns at all, it nonetheless provides an indication that some of these parties may have only minor or no concerns at all.

43. Comprehensive consultation of all potentially affected parties was undertaken from September 2007 – March 2008. Affected parties were first sent a letter outlining the scope and purpose of the designation, given copies of draft plans, and asked to fill out and return a comments form. A follow up meeting was scheduled, where requested. As it is not yet known whether the proposed Spectator Event and Education Zone will proceed, alternative plans for the road were provided, one giving a route to the east of the proposed zone, the other a route through where the proposed new zone would otherwise have been located. This was a complicating factor, as it created uncertainty for landowners and tenants as to whether they would be required to relocate. It also created a wider area of consultation, as both options (and associated land parcels) had to be covered. Consultation will be ongoing through the notification process.
44. In addition to the consultation outlined above, as the designation will be publicly notified, this will provide an opportunity for any other potentially affected parties and members of the public to make comment, and be heard in support of their submission. Ongoing negotiations are also being held between the applicant's property consultants and affected land owners to ensure that the rights and needs of individual property owners are not compromised. The applicant is also undertaking ongoing consultation with tenants and lease holders regarding the possible relocation of businesses.

7. Consideration of Alternatives

45. As the Council does not have sufficient ownership in the land required to undertake the proposed works, adequate consideration must be given to alternative sites, routes and methods under Section 168A (b)(i) of the Act. The following alternatives have been considered:

In relation to sites, routes, alternatives and methods the following alternatives have been considered:

46. The 'Do Nothing' approach, that is, leave the road as it is. The existing Harbourside Arterial has two major deficiencies. The first is the turn over the rail corridor and Intersection with Anzac Avenue, the second is the conflict between high pedestrian numbers and traffic in the area where the University Campus straddles the State Highway.
47. Rail operations regularly close St Andrew Street crossing thereby delaying arterial traffic, which in turn reduces network efficiency and increases vehicle emissions. High pedestrian flows to and from the University Polytechnic physical recreation facility on Anzac Avenue (Unipol) regularly disrupt traffic flow along the corridor and as many of the pedestrian movements are at night, safety is compromised. Modelling the changes proposed has shown that the benefit to cost ratio for the works exceeds 2 on efficiency grounds alone. See Appendix 5 for further analysis.

48. Widening the existing corridor. Upgrading the existing corridor in an attempt to address the two major issues identified above would involve works such as grade separation to separate road and rail traffic, and road and pedestrian traffic. This was investigated in the Council's 2003 Strategic Corridors study and discarded as it would adversely impact on the special character of Anzac Avenue, and not necessarily totally address network efficiency issues. Also an upgrade on the existing corridor will not fully address efficiency issues and provide the benefits described in Appendix.5.
49. Parry Street Alternative – The Council's Transportation Study July 2005 identified the relocation of SH88 to Parry Street adjacent to the rail corridor as a routing that required new capital. The Council commissioned a report by MWH "SH88 Deviation Rail Corridor Alternative" dated Jan 2006. This report investigated the deviation of SH88 adjacent to the railway as an alternative to the deviation along Parry Street between the Frederick Street roundabout and the Water of Leith. This report identified several advantages of the rail corridor route:
- Parry Street would not have through State Highway traffic and so could better serve the needs of the commercial premises sited there;
 - The ramp up to the Leith Bridge would not obstruct entrances on Parry Street;
 - There would be no accesses onto the State Highway along the rail corridor;
 - Parry Street would be a safer environment for pedestrians and vehicle users;
 - Vehicles could travel at a greater speed on the rail corridor route thus saving travel time costs; and,
 - Traffic noise from the rail corridor route would be further from University of Otago buildings and Parry Street and so would pose less of a disturbance.
50. However the disadvantages could be summarised as follows:
- Vehicles turning into the many property accesses along Parry Street and parking vehicles conflicting with through traffic and pedestrians. These present significant safety hazards; and,
 - Ramp to bridge causing difficulty to access to adjacent properties on Parry Street.
51. The report concluded that the Parry Street deviation would present "serious safety concerns and the capacity and the efficiency of the route could be compromised by access and parking issues". The capacity and efficiency of the route could be compromised by access and parking issues. Therefore this option has been discarded.
52. North of the Water of Leith two alternative routes were considered and put out for initial consultation with potentially affected parties. As the stadium plan change has now been notified concurrently with this notice of requirement the stadium route has been identified as the preferred option.
53. 1. Without Stadium Route: If the proposed Spectator Event and Education Zone had not been notified the alternative route for the proposed Harbour Arterial is across the Water of Leith via a bridge north of the existing railway bridge over the river. The proposed works then traverse private property for a short distance before bifurcating to join Awatea

and Leander Streets, or continuing until SH88 is reached. New access to the yacht harbour from Parry Street is also required as the present Magnet Street access will require modification following the proposed bridge over the Leith. However if the stadium does not proceed, this route is preferred as it will be shorter than the stadium route and affect less private property.

54. 2. Stadium Route: If the proposed Spectator Event and Education Zone is approved and becomes part of the district plan, the route will cross the Water of Leith via a bridge just north of the existing railway bridge over the river. The route will continue in the railway corridor for a short distance then traverse private property for the entire corridor width until it joins SH88. This option has an access road to the proposed stadium building / grounds. A new access to the yacht harbour from Parry Street is also required as the present Magnet Street access will be incorporated into the stadium grounds / building. This option has also been sent to potentially affected parties as one of two alternatives considered by the Council and is now the subject of this notice of requirement. This option is the preferred and final route. It allows the proposed arterial to proceed in combination with the proposed Spectator Event and Education Zone.
55. The principal alternative method of providing for the arterial would be to seek resource consent for any part of the development that did not meet the zone rules.
56. A resource consent application would result in less certainty for the Council in terms of the process and outcome. Resource consent also results in less long-term flexibility and certainty for the Harbourside Arterial and there is less scope for minor changes to design and layout once approved.
57. Under Section 168A (3)(b)(i) of the Act, it is not necessary for the Consent Authority to consider the merits of the various alternatives, or to eliminate each alternative. Rather, the requiring authority is required to demonstrate that it has not acted arbitrarily or given only cursory consideration to alternatives
58. As can be seen from the alternatives above, the Council has put careful consideration in the selection of the proposed route to improve the efficiency of SH88 and has not acted arbitrarily in its selection.

8. Statutory Provisions

Resource Management Act 1991

59. The Consent Authority's consideration of a notice of requirement for designation is subject to Part 2 of the Act. The Consent Authority must also in this instance have regard to the matters set out under Section 168A of the Act.
60. Section 5 of the Act states that its purpose is to promote the sustainable management of natural and physical resources. After evaluating the potential effects of this proposal, it is considered any effects that are more than minor will be avoided, remedied or mitigated. The Harbourside Arterial proposal will contribute to the sustainable management of the arterial network within the city and in particular the proposal will help enhance the health, safety and economic wellbeing of the people using the arterial

network in Dunedin. The effects arising from construction and operation of the arterial are discussed in section 9 of the AEE. After evaluating these potential effects, it is considered on balance, any effects that are more than minor are either mitigated or offset by the positive aspects of these applications. The confirmation of the designation and the resultant physical works subject to appropriate conditions will help achieve the purpose of the Act.

61. Section 6 of the Act sets out those matters of national importance that are to be recognised and provided for in achieving the purpose of the Act. The following matters are considered relevant.
- (e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga; and,
 - (f) The protection of historic heritage from inappropriate use, and development.
62. The proposal is considered consistent with the above matters of national importance for the following reasons:
- The Otago Harbour and its adjacent coastline and surrounding hills have cultural significance to local iwi. Consultation to date has identified recommended mitigation methods from local iwi and these have been included within this notice of requirement;
 - The route has no listed heritage buildings or features that are affected by the route. Approval from the Historic Places Trust (HPT) is also being sought in the event that construction activities uncover an unknown archaeological site.
63. Section 7 of the Act sets out those “other matters” that the Council is to have particular regard to in achieving the purpose of the Act. In the context of this NoR, the following matters are relevant:
- (b) The efficient use and development of natural and physical resources; and
 - (c) Maintenance and enhancement of amenity values; and
 - (f) Maintenance and enhancement of the quality of the environment.
64. The proposal is considered consistent with the above matters for the following reasons:
- The arterial will largely make use of the existing rail corridor which has space available, and will be an efficient use of this existing resource of land;
 - The route in part will utilise the existing rail corridor avoiding the need to construct an entirely new transport route and is a sustainable use of the existing resources;
 - The new arterial will be safer and more efficient than the existing route through the reduction in curves and accesses with uncontrolled access on to the road; and
 - The quality of the environment will also be improved by the increased traffic flow by reducing traffic congestion and taking traffic volume and congestion away from the centre of the city.
65. Section 8 of the Act requires all persons exercising functions and powers under the Act to take into account the principles of the Treaty of Waitangi. The Council, in this context,

must weigh these obligations with the Section 6 and 7 matters that are being considered. It is not considered that there any treaty matters relevant to this application.

66. Overall, it is considered that a recommendation to confirm the designation with the mitigation measures for construction, will achieve the purpose of the Act.

Regional Policy Statement for Otago

67. Issue 9.3.3 of the ORC Policy Statement for Otago recognises the need for an efficient transport network in order to be able to utilise its resources, and to provide for its people and communities. This issue is supported by the following:

- Objective 9.4.2 which promotes the sustainable management of Otago's infrastructure;
- Policy 9.5.2 (a) which promotes and encourages efficiency in the development of infrastructure by (a) maximising existing infrastructure while recognising the need for more appropriate technology;
- Policy 9.5.3 (a), (b) and (c), to promote sustainable management of the transport network through (a) promoting the use of fuel efficient modes of transport, (b) encouraging a reduction in the use of fuels that produce harmful emissions and (c) promoting a safer transport system.

68. The proposed designation is considered to be consistent with the above objective and policies. The proposed designation promotes the sustainable management of Otago's transportation infrastructure by maximising the existing arterial route where possible and improving the efficiency and safety of the arterial network. This also has the consequence of reducing fuel emissions.

Dunedin City District Plan

69. The NoR for designation falls within the Industrial 1 Zone of the District Plan. Under the Transportation Section of the District Plan, road maintenance and realignment within the legal road reserve is a permitted activity. The road construction outside the legal road reserve is a Discretionary Activity (unrestricted).

70. The relevant Objectives and Policies of the District Plan are as follows:

- Objective 10.2.2 and Policy 10.3.1 seek to manage in a sustainable manner the natural and physical resources of the Industrial Zone.
- Objective 20.2.1 and Policy 20.3.1 seek to avoid, remedy, or mitigate adverse effects on the environment arising from the improvement of the transportation network.
- Objective 20.2.4 and Policy 20.3.6 seek to maintain and enhance a safe, efficient and effective transportation network.
- Policy 20.3.5 seeks to ensure safe standards for vehicle access.

71. Council believes this NoR is in accordance with, and supports the above objectives and policies as the proposed road will use underutilised rail corridor, part existing road and part private property. Therefore, the environmental footprint of the proposed road will be

less than that of a entirely new road. There will also be improved safety and efficiency resulting from the proposed works.

9. Assessment of Effects

72. The actual and potential effects on the environment arising from the proposed works proceeding on the designated site have been identified as follows:
- (1) Effects During Construction including:
 - Traffic delay, noise, dust, rail corridor and historical sites.
 - (2) Operational Effects:
 - Efficient transportation networks, visual amenity, noise and vibrations.
 - (3) Effects of proposal on individual sections of the proposed arterial;
 - Rattray Street – St Andrew Street;
 - St Andrew Street – Frederick Street;
 - Frederick Street - Water of Leith;
 - Water of Leith; and,
 - Water of Leith – SH88 (2 options).
73. These are assessed below, along with a discussion on mitigation methods by which any adverse effects can be mitigated

EFFECTS DURING CONSTRUCTION

Traffic Delay

74. In contrast to the completed project, heavy construction vehicles, trucks and other miscellaneous equipment will be present on and around the site. The presence of construction machinery, along with the associated construction activities, is likely to cause temporary delays and potential safety hazards for motorists. These effects, however, will be localised and medium term in nature lasting only the length of the construction period. At this stage a detailed construction programme has not been finalised. However as the major work are off the exiting roads it is anticipated that effects of the construction on road users will be of limited duration, that is, 3-6months while connections to the existing network are made.
75. Contractors undertaking the works will also be contractually required to ensure where users of the road come in contact with any construction activities they will have safe passage through the construction site. A traffic management plan will also be required from the contractor prepared in accordance with the Council's transportation guidelines and submitted to the Council prior to the work.

Effects of Noise

76. Noise is expected to be generated over the construction period from heavy machinery working on site. However the increase in noise will be medium term in nature, localised

and confined to an anticipated construction period of between 24-36 months for the overall project. However given the length of the route construction will not be continuous for this length time in any one area.

77. Construction noise effects can be adequately mitigated and such mitigation methods will be described in the outline plan. Furthermore, contractors will be expected to comply with NZS 6803P:1999 '*Acoustics – Construction Noise*' by means of a noise management plan. How this will be implemented will be detailed in the Outline Plan process once detailed design and construction methodology has been finalised.

Effects from Dust

78. Contractors will be required to take all necessary measures to prevent dust nuisance, such as watering exposed soil and any other methods available. Again, these effects will only occur during the construction period will be localised, and medium term in duration. If during the final design a need to stock pile any fill to construct sections of the proposed route is identified further mitigation methods will be detailed within the proposed Outline Plan.

Effects on the Rail Corridor

79. The construction of the arterial adjacent to the rail corridor will be managed in consultation with ONTRACK and mindful of any guidelines that they may have for construction immediately adjacent to their rail corridor.
80. In summary, the potential adverse effects associated with any construction can be adequately avoided remedied or mitigated.

Effects on Historical/Archaeological/Cultural Sites or Materials

81. Much of the construction area has been significantly modified from its natural state by past reclamation roadwork and/or rail practices. The District Plan does not indicate any areas of historical importance. However it is possible that construction in the railway corridor may unearth items of heritage interest as it has not been disturbed for some time. In addition the route passes close to the Chinese Garden a site which has been found to contain artefacts. For this reason, an archaeological assessment and report was commissioned and undertaken by Southern Pacific Archaeological Research (University of Otago). This report is attached as Appendix 6.
82. The Archaeological Assessment records that there are parts of the proposed route where there are locations, structures and/or activities predating 1900. It is possible that significant archaeological remains lie preserved beneath the ground surface, but it is not possible to ascertain whether any such remains are actually present before ground disturbance commences. For this reason the recommendation from the report is that the Council applies for an archaeological authority under Section 12 of the Historic Places Act 1993. This application will be sought concurrent with this NoR.
83. Any contractor employed by the Council will be aware of its obligations under the Historic Places Act 1993. Should an archaeological site, artefact or cultural material be discovered during the excavation or construction phase of the project, work will cease

and the New Zealand Historic Places Trust (NZHPT) and Tangata Whenua contacted to determine an appropriate course of action.

84. Consultation with KTKO has indicated that an accidental discovery protocol between the Council and KTKO should be followed in the event of any cultural material being discovered during construction.

OPERATIONAL EFFECTS

85. Effects from operation of the arterial post construction are considered below for the route overall, and subsequently assessed for individual segments of the arterial.

Efficiencies in the Transport Network

86. The proposed works will result in long term positive effects by improving the safety and efficiency of the Dunedin arterial network, reducing congestion on the Cumberland Street Overbridge and creating a smooth flowing route from the southern dormitory suburbs to the central city and North Dunedin. Traffic flows to and from Port Chalmers along a route that has fewer private vehicle crossings and road crossings will also be an improvement. The project will also include provision for pedestrians and cyclists.
87. The Council's transportation model "TRACKS" has been used to assess the impacts of this project and has shown the upgraded and extended Harbour Arterial route will attract traffic, and improve the overall efficiency of the arterial network in the central city. Any improvement in efficiency will reduce fuel consumption and emissions thus assisting the long term sustainability of the network (refer to Appendix 5 for modelling results and analysis).

Effects on Visual Amenity

88. A landscape concept plan for the proposal has been prepared by Jill Corson, Landscape Architect and is attached in Appendix 7. Summarising this report, it states although the improvements to the road corridor or the addition of a road corridor to the rail corridor will be taking place within an existing transport corridor, they are considered to significantly alter the visual amenity. The key issues identified are:
- Diversion of the arterial route from significant plantings along Anzac Avenue
 - Modification and removal of some native and exotic shrubbery and specimen tree planting along the railway station perimeter and on St Andrews Street berm
 - Maintenance of significant view shafts into proposed harbourside precinct
 - Protection and enhancement of views to the Chinese Garden, Early Settlers Museum, Heritage Railway Station and other landmark buildings in addition to water views across the Harbour Basin
 - Minimisation of impact of road on adjoining urban precincts
 - Minimisation of impact on potential of proposed Harbourside development

- Maximisation of travel experience of road users, cyclists and pedestrians

89. The report goes on to address these issues through:

- Extensive thematic plantings within berms, adjoining open spaces, central median strips and roundabouts;
- Reinforcement of Anzac Avenue and railway station planted character by establishment of similar character plantings adjoining the proposed arterial;
- Relocation of established rhododendrons and other trees where possible;
- Boundary fences and walls designed to reinforce built character of adjacent precincts;
- Attractive cycle routes and walkways with plantings, seating, interpretative signage, artwork and open views to adjoining areas of interest. These routes would be designed to maximise amenity and connectivity to encourage use; and
- Climbers, murals and hedging to minimise the effect of the arterial on cyclists and pedestrians where space is limited.

90. Appendix 7 also includes plans that outline the draft landscape concept and areas available for plantings and amenity areas (Appendix 7, 1-7). Sketch cross sections through the most and the least planted areas are also indicated. (Appendix 7, Pages 8-9). Full landscape plans developing the concept shown in Appendix 7 will be submitted with the Outline Plan Process.

Effects of Noise and Vibration

91. The proposed arterial will relocate the existing roading network west into the existing rail corridor and Industrial 1 area adjacent to the harbour.
92. The existing rail corridor is the main south line for the south island and services rail traffic travelling through Dunedin as well as the local Port Otago rail traffic between Port Chalmers and Dunedin. The proposed arterial will increase the number of road vehicles beyond the local industrial service vehicles usually within this area with a potential increase in noise and vibration. However, given the vibration from existing rail traffic along the main south railway, the industrial zoning of the area, and the number of industries in close proximity to the rail corridor, this environment is considered to be less sensitive to any potential increases in noise and vibration compared with other environments such as an area with residential or commercial zoning. Therefore, the effect of an increased number of vehicles using the new arterial in this environment is not considered to be significant.

Assessment of Effects for Individual Sections

Willis Street – St Andrew Street

Closure of Thomas Burns Street and Relocation of the Skate Board Park

93. Thomas Burns Street will be made into a cul de sac just south of Mason Street and will provide access to Creswell, Willis and Bombay Streets. There will be no access to the

proposed arterial from the cul de sac. The formation of the cul de sac will have a positive effect of maintaining access to this area and providing a potential future location for the skate board park. The relocation of the skate board park will be undertaken in consultation with the Council's Community and Recreational Services Department and skate board community.

94. Aside from the temporary inconvenience to its users when it will be closed, the relocation of the skate board park will have some positive effects. The access to the park will be from Thomas Burns Street which will be closed to through traffic and will provide more parking and safer pedestrian access for users than currently available for the existing park. Users coming to the existing park by vehicle are currently required to park on the opposite side of Thomas Burns Street from the park and then cross four lanes of busy traffic to access the park, therefore pedestrian safety will be improved.
95. The stopping of this portion of Thomas Burns Street will need to follow a separate road stopping procedure as will all the other roads that are stopped as part of this project.

Local Roading Efficiencies

96. The proposed arterial will affect the local roads to the east of the route in the Harbourside area. Properties currently fronting Thomas Burns Street between Willis and Mason Streets will no longer be fronting a busy road, (Thomas Burns Street) and so will find access to their properties easier.
97. However, traffic modelling (Appendix 5) of the area shows a reduction in the number of roads from the harbour area having access onto the arterial will be required to change their usual access route. In some cases, they will be required "go round the block" to access the new arterial route and this may be seen as a disadvantage and inefficient. However the redirection of traffic to one controlled intersection at Mason Street will ensure a controlled and safe egress and ingress to the harbour area and the arterial for all users.
98. Also the reduction of the current number of intersections will have positive effects in terms of reducing the number of intersections to be maintained by the Council.

Pedestrian Access

99. Pedestrian access to the harbour area will be maintained in this section as the existing pedestrian bridge once reconstructed will be retained. The arterial will be constructed so that it fits beneath the pedestrian bridge so the bridge not only traverses the four lane road but the railway as well. The retention of the bridge will help eliminate the need for pedestrians trying to cross the busy arterial in this area.

Visual Impact

100. Development of the proposed landscape concept included within Appendix 7 of this notice will enhance the visual amenity of the railway and Chinese Garden from the harbourside arterial road. Fully developed landscape plans developing the proposed concept will be included as part of the proposed Outline Plan.

St Andrew Street – Frederick Street

Effects on Adjacent Properties

101. The proposed new intersection at St Andrew Street will require the widening of the existing intersection to accommodate the proposed new alignment. The at grade rail crossing will remain and additional land for the widening and landscaping will be required from ONTRACK.
102. The relocation of the arterial road along the east of the railway corridor will cause a major change to the properties and businesses situated along the route. These businesses currently back onto the railway corridor and access Ward Street which is a District Arterial road. Although private property adjacent to the rail corridor is not required, (as only railway land will be used), properties fronting Ward Street will be affected. This is because instead of adjoining the railway corridor at the rear, they will adjoin a busy four lane highway. However as this area is zoned industrial and adjacent to the main south trunk railway line and is considered to be less sensitive to any increase in noise and vibration arising from the volume of traffic on the new road. As such it is also considered that the adverse effects arising from the construction of the arterial in this area will be outweighed by the positive effects of the proposal.

Wickliffe Street Connection from Arterial to Port Area

103. Wickliffe Street has been identified by the design so far as the preferred access route to the port area and will provide an alternative connection to the arterial for local roads in the northern end of the industrial area. Traffic from the Arterial will be able to access the port area from the intersection between Frederick Street and the Arterial over the rail corridor. Access from this intersection will significantly improve traffic flow between the harbourside, port and industrial areas and the City, as well as facilitating vehicle movements in all directions from the harbourside.

Effects on nearby Residential Apartments

104. The residential apartment terraces “Station Apartments” at the St Andrew Street intersection with Anzac Avenue will benefit from a reduction in vehicle noise as the new arterial will attract the heavy traffic destined for Port Chalmers away from Anzac Avenue. Anzac Avenue will have a decreased volume of traffic with a reduction in traffic noise and vehicle fumes. The new arterial will be separated from the back of the apartments by the rail corridor, therefore the new road is further away than the current situation where the apartments front doors are very close to Anzac Avenue. The apartments are considered to be sufficiently far from the new route as to not be adversely affected by traffic on the new route.

Effects from the Proposed Rail Over Bridge

105. The proposed over bridge and roundabout (the Gyrotory) will be constructed over ONTRACK and private land (including, Anzide Properties, Shell and Chalmers property) between Wickliffe Street and Frederick Street. Consultation with landowners for site acquisition is ongoing and consultation with ONTRACK will ensure that the design of the over bridge will allow for any changes necessary to the rail infrastructure in the area and meet any required rail guidelines for such structures. No other adverse effects are expected

from the construction of this structure. Refer to Appendix 9 for a plan of the proposed structure.

Frederick Street – Water of Leith

Effects of Closing Anzac Avenue to Vehicles

106. The portion of Anzac Avenue south of Frederick Street will become a cul de sac at Frederick Street, while there will still be a vehicular connection to and from Frederick Street for the portion of Anzac Avenue north of Frederick Street. Pedestrians and cyclists will still be able to cross Frederick Street on the line of Anzac Avenue as part of the cycle way to the University and City, but there will be no vehicular access. The design of the underpass will be undertaken at the outline plan stage of the project and will be designed with the safety and amenity of users in mind. The stopping of this portion of Anzac Avenue will need to follow a separate road stopping procedure.
107. The traffic modelling results (please refer Appendix 5) show the new arterial will attract most traffic using Anzac Avenue. Traffic presently using Anzac Avenue either go to Port Chalmers or access the University area from south and east of Dunedin, This traffic will transfer to the proposed arterial as the most direct route. Traffic numbers using Anzac Avenue will therefore reduce accordingly. The closure of Anzac Avenue to through vehicle traffic at Frederick Street will also further reduce the number of vehicles using this section of road.
108. Aside from a reduction in traffic numbers, the purpose and benefits of closing Anzac Avenue is as follows:
 - Improved safety for traffic using the new roundabout without conflict with the intersection to the southern leg of Anzac Avenue; and,
 - Reduction in traffic volumes will improve and encourage cyclists and pedestrians using Anzac Avenue to use this route. It will also encourage cross connections for the campus as Anzac Avenue currently bisects the campus use in this area.
 - Reduction of traffic along Anzac Avenue will also support the stadium plan change vision to make the area fronting Anzac Avenue pedestrian friendly and reduce cars in the campus area.
 - Modelling shows that the new arterial is extremely attractive to motorists with traffic volumes on existing routes declining, particularly on the portion of Anzac Avenue between St Andrew and Frederick Streets meaning a connection is not required for traffic flow reasons.

Potential Economic Effects on Retail Businesses

109. Moving the arterial route from the existing SH88 route to the proposed harbour arterial route will potentially have economic effects on the retail businesses along the existing route. The businesses likely to be most directly affected will be those from St Andrew Street north as follows:
 - Businesses affected on the corner of St Andrew Street and Anzac Avenue (and also including Harrow Street) are likely to include Normans Auto Electrical, Sims Brothers

(1992) Limited (Harrow Street), Luxury Chauffeurs and Leith Distributors. The effects of stopping through traffic along Anzac Avenue on these businesses is not considered significant as they will continue to retain their position on or have access to passing traffic on the busy intersection on the corner of Anzac Avenue and St Andrew Street. As shown in the modelling for this project, this intersection will continue to be a major intersection and a key access onto the new arterial for traffic travelling from the centre city to the arterial. No comments from these businesses were received in the initial consultation mail out request.

- Hanover Street to Frederick Street: Businesses in this section include McKenzie and Willis, Miller Studio Ltd and the Indoor Entertainment Centre. These businesses are in the section directly affected by the closure of Anzac Avenue at Frederick Street. The closure will have the effect of stopping through traffic passing these businesses. Considering the nature of these businesses, it is likely that most customers will travel specifically to use their services rather than being casual custom from passing traffic. The loss of through traffic is therefore unlikely to have a significant effect on these businesses. No comments were received from the initial consultation mail out from this group. The construction of the overbridge/roundabout at the Frederick Street corner will potentially have a significant effect on the Laser Force site access from Frederick Street. Consultation over how the effects during construction and operation can be mitigated is ongoing with these individuals.
- Frederick Street to the Leith: Businesses in this section include Mobil Petrol Station / Automotive Solutions, and Display and Sell. Anzac Avenue is closed to north through traffic, but traffic travelling south on Anzac Avenue from Albany Street, Union Street and Ravensbourne Road will be able to travel south and turn right into Frederick Street, or left into the proposed roundabout that will access the new arterial. Display and Sell is unlikely to be affected significantly by the proposed new traffic layout as they are also unlikely to have a lot of casual custom from passing traffic rather customers will travel specifically to their location. The only consultation reply from this area was Mobil New Zealand representing the Mobil Petrol Station in this area. They noted that they believe that stopping the flow of traffic along Anzac Avenue will have a significant adverse effect on this business. However, when this effect is weighed against the positive effects arising from the proposal, it is considered that confirming the requirement for designation for the activities proposed, with appropriate conditions, will achieve the purpose of the Act. Notwithstanding, consultation with Mobil is ongoing.

Effects on Adjacent Properties

110. The proposed works along the north side of the railway corridor will mean that the existing businesses that presently front onto the railway corridor will instead front onto a busy four lane highway. There will be an increase in road related effects such as vehicle noise, vibration and traffic fumes. This differs from existing rail corridor effects where the track is the main rail line south and to Port Otago. However, as this area is zoned Industrial 1 in the District Plan, this environment is considered to be less sensitive to increases in these types of effects than a residential or commercial area. However it is considered outweighing any potential adverse effects is the positive effects arising from the overall proposal.

111. The only business using their siding that will be directly affected in this area is Peter Baker Transport (PBT) and consultation with this party is underway to identify another site with a similar facility.
112. Access to the arterial for these properties will be onto Parry Street then Anzac Avenue to the harbourside arterial route. Again this is not a direct route and could be considered inconvenient for the businesses involved. However, in terms of controlling the number of intersections for vehicles on to the arterial, this route will ensure a controlled and safe entry point for both the intersection and arterial users.

Water of Leith to SH88

Proposed New Bridge

113. Resource consent from the ORC will be sought to construct the proposed bridge. The bridge will be independent from the existing railway bridge and slightly upstream. The Council propose to only initially construct a two lane bridge however, the designation is sought for a four lane corridor across the river. When an increase in traffic demands, another two lane bridge will be constructed immediately adjacent to the first.
114. Also worthy of note but not part of this notice of requirement is a proposed pedestrian facility immediately up stream of the bridge designation originally proposed by the Stadium Trust. This pedestrian bridge may be the subject of a project and assessment in the future.

Effects on Boat Harbour Access

Railway Crossing

115. A new access for the users of the Dunedin Boat Harbour will be constructed. It is proposed to construct a new at-grade railway crossing in consultation with ONTRACK to replace the existing crossing. The new location will be in a location that has better visibility for both rail and road vehicles, and will be a safety improvement on the existing crossing.

Effects on Boat Harbour Amenity

116. Currently the Dunedin Boat Harbour area is quiet and has an “out of the way” atmosphere. The proposed arterial may well result in this atmosphere being affected due to its location that will be in closer to this area. An increase in road noise may be experienced as the proposed route will be closer to the boat club area. The road and vehicles travelling along it may also be able to be viewed from the boat club area. As the Dunedin Boat Harbour is a boat launching and berthing facility whose members only spend relatively short periods of time at the marina, vehicle noise is not anticipated to adversely impact upon the amenity of the area.
117. The proposed landscaping concept report for the arterial is included in Appendix 7. When developed landscaping will help mitigate any effects from the proposed works on visual amenity in this area from the proposed works.

Effects from the Proposed Roundabout

118. A roundabout is proposed for the intersection of the harbourside arterial route with Union Street and Ravensbourne Road. This will be designated for a four lane roundabout although it will be constructed only for two lanes as the present traffic usage does not

warrant four lanes. Several private properties will be required for this segment and their associated businesses will need to relocate to a new site. Consultation with these parties to identify and purchase the required land is ongoing (refer to Appendix 3 for a list of directly affected parties in this area).

119. Parry Street will be closed to through vehicle traffic and access to Ravensbourne Road will be via the proposed roundabout. Effects include disruption to existing land owners and lessees. Consultation including property valuations and negotiations to purchase properties for this section of the arterial is ongoing. Effects on individual businesses will vary, depending on whether total relocation to a new site or adjusting the existing operation to suit the existing, but smaller, site is required.

Effects on Dunedin on Existing and Proposed City Walking and Cycling Routes

120. Part of the Council's vision for Dunedin's transportation network is to have safe walking and cycling routes throughout the City. The design of the works for the Harbourside Arterial will integrate with this vision. It is intended that the proposed design for the route will assist with the construction of the around the harbour walking and cycle ways and their connection to the central city and campus area.

SUMMARY OF MITIGATION METHODS

121. As discussed in Section 9 of the AEE, there will be a number of effects as a result of the construction and use of the proposed new arterial. However, these effects can be adequately remedied or mitigated through the measures listed below. If appropriate, the mitigation measures may form part of the conditions to the designation.

Specific Measures Relating to Heritage and Cultural Values

- An archaeological authority will be sought concurrently with this application to cover the earthworks;
- Any contractor employed by the council will be aware of its obligations under the Historic Places Act 1993. Should an archaeological site, artefact or cultural material be discovered during the excavation or construction phase work will cease and the NZHPT, Tangata Whenua contacted to determine an appropriate course of action.
- DCC will comply with existing accidental discovery protocol;
- DCC manage of runoff during all stages of site disturbance and construction to avoid silt and other contaminants entering the Owheo (Water of Leith);
- Promote best practice methods for instream works that minimize the risk of sedimentation and contaminants entering Owheo and harbour during proposed works; and
- Ongoing consultation with KTKO throughout the design process.

Specific Measures Relating to Construction Effects

- The contractor will be required to prepare Traffic Management Plans in accordance with Council guidelines and submitted to the Consent Authority prior to the work;

- The contractor will be required to use dust mitigation methods where appropriate, for example, use of a water spraying truck;
- All construction noise will be in accordance with NZS 6803” Acoustics – Construction Noise”;

Specific Measures Relating to Visual Effects

- Detailed landscaping and design plans for the corridor will be provided as part of the Outline Plan process;
- Relocation of existing rhododendrons; and
- Clearing of existing landscaping kept to a minimum where possible.

Specific Measures as a Response to Consultation

- Property negotiations with directly affected parties to buy and compensate property owners and where possible and requested, relocation to a suitable site.
- Ongoing consultation with ONTRACK through out the design and construction process;
- On completion of the works, access to the Dunedin boat harbour will be significantly improved;
- Ongoing consultation with KTKO throughout design process

11. Conclusion

122. The DCC seeks to designate the route for “Harbourside Arterial Link” purposes within the Dunedin City District Plan.
123. The proposal will allow for the improvement of the existing arterial roading network within Dunedin City, as well as moving towards the long term goal of reducing the volume of through traffic from the inner city. The DCC considers the designation necessary and appropriate, in keeping with the DCC policy for the long term management of strategic sections of road.
124. The proposed designation is consistent with the objectives and policies contained within the Dunedin City District Plan.
125. The effects during construction and operational effects of the proposed Harbourside Arterial are discussed in section 9 of this AEE. After evaluating these potential effects (and associated technical reports) it is considered on balance any effects that are more than minor are either mitigated or offset by the positive aspects of this application. Therefore, confirming the requirement for designation for the activities proposed with appropriate conditions, will achieve the purpose of the Act.
126. Section 168A of the Act provides that the requiring authority must notify the requirement in accordance with Section 93(2).